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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/872,878	06/01/2001	Frank Leymann	DE920000002US1	3172

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WILLIAM KINNAMAN, JR.  
IBM Corporation  
Intellectual Property Law Department  
2455 South Road, M/S P386  
Poughkeepsie, NY 12601

EXAMINER
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LEROUX, ETIENNE PIERRE

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/872,878

Applicant(s)

LEYMANN ET AL.

Examiner

Etienne P LeRoux

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☒ Other: *Bib Data Sheet*.

***Claim Status:***

Claims 1-15 are pending. Claims 1-15 are rejected as detailed below.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-6, 8 and 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Pat No 6,073,109 issued to Flores et al (hereafter Flores) in view of US Pat No 5,862,325 issued to Reed et al (hereafter Reed), and further in view of US Pat No 5,596,752 issued to Knudsen et al (hereafter Knudsen).

**Claims 1 and 11**

Flores discloses a method of optimizing a workflow management system (WFMS) [business processes col 3, lines 30-37], said method being executable by said WFMS on at least one computer system [workflow server, Fig 2], said WFMS accessing a WFMS database containing as an object at least one process model or an instantiation of said process model [model paradigm of object oriented programming per col 8, lines 25-35, business model per col 19, lines 5-10], said method comprising the step of and transferring said object of the WFMS database to the archive database [archiving a business process per col 101, lines 13-18, archiving all business processes per col 108, lines 45-50].

Flores discloses the essential steps of the claimed invention as noted above but is silent regarding specifying a logical condition relating to said object for transfer of said object to an archive database. Reed discloses specifying a logical condition relating to said object for transfer of said object to an archive database [Fig 3, 140, col 21, lines 44-62, col 90, lines 23-41]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Flores to include specifying a logical condition relating to said object for transfer of said object to an archive database as taught by Reed for the purpose of controlling archiving by means of rules such as time intervals, data size parameters, by the presence or absence of element preferences and other parameters [Reed, col 90, lines 33-42]. The skilled artisan would have been motivated to modify Flores per the above such that consumers have a method for automating a common transaction [Reed, Abstract].

Flores discloses the essential elements of the claimed invention as noted above but is silent regarding if said logical condition evaluates as being true. Knudsen discloses if said logical condition evaluates as being true [Abstract]. It would have been obvious to one of

Art Unit: 2161

ordinary skill in the art at the time the invention was made to modify Flores to include if said logical condition evaluates as being true as taught by Knudsen for the purpose of determining when to apply a rule, i.e., a computer-implemented set of instructions.

**Claim 2:**

The combination of Flores, Reed and Knudsen discloses the elements of claim 1 as noted above and furthermore, Reed discloses said logical condition comprises an occurrence of a predetermined event [Fig 3, 140, col 21, lines 44-62, col 90, lines 23-41].

**Claim 3:**

The combination of Flores, Reed and Knudsen discloses the elements of claim 1 as noted above and furthermore, Reed discloses said logical condition comprises nonuse of said object by the WFMS for a predetermined period [col 21, line 55].

**Claim 4:**

The combination of Flores, Reed and Knudsen discloses the elements of claim 1 as noted above and furthermore, Flores discloses the objects transferred to the archive database comprise process instances [a business process is complete per col 108, lines 40-50]

**Claim 5:**

The combination of Flores, Reed and Knudsen discloses the elements of claims 1 and 4 as noted above and furthermore, Reed the process instance transferred to the archive database is selected among instances of a certain process model depending on the value of one or more properties of the process instance [Fig 3, 140, col 21, lines 44-62, col 90, lines 23-41].

**Claim 6:**

Art Unit: 2161

The combination of Flores, Reed and Knudsen discloses the elements of claims 1 and 4 as noted above and furthermore, Flores discloses the step of transferring from an application store to an application archive store data which is managed by programs that implement activities of a process model from which process instances are transferred to the archive database [a business process is complete per col 108, lines 40-50].

**Claim 8:**

The combination of Flores, Reed and Knudsen discloses the elements of claim 1 as noted above and furthermore, Flores discloses the object transferred to the archive database comprises a process model [business model, col 19, lines 5-10].

**Claim 12:**

The combination of Flores, Reed and Knudsen discloses the elements of claim 1 as noted above and furthermore, Flores discloses a data processing system [abstract]

**Claim 13:**

The combination of Flores, Reed and Knudsen discloses the elements of claim 1 as noted above and furthermore, Flores discloses computer readable program means for causing a computer to perform the method of claim 1 when the program is executed in a computer [abstract].

**Claim 14:**

The combination of Flores, Reed and Knudsen discloses the elements of claim 1 as noted above and furthermore, Reed discloses said logical condition is specified using a Boolean expression [col 21, lines 45-60].

**Claim 15:**

Art Unit: 2161

The combination of Flores, Reed and Knudsen discloses the elements of claims 1 and 14 as noted above and furthermore, Reed discloses said Boolean expression uses an operator to relate an object parameter to a value [col 21, lines 45-60].

Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Flores, Reed and Knudsen and further in view of US Pat No. 6,067,548 issued to Cheng.

**Claims 7, 9 and 10:**

The combination of Flores, Reed and Knudsen discloses the elements of claims 1, 4 and 6 as noted above but is silent regarding the further step of transferring the data from the application archive store back to the application store. Cheng discloses the further step of transferring the data from the application archive store back to the application store [col 8, lines 37-50]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include the further step of transferring the data from the application archive store back to the application store as taught by Cheng for the purpose of cycling between the active and inactive state [col 8, lines 25-33]. The skilled artisan would have been motivated to modify the above combination of references such that information can be returned to a storage system which provides faster access [col 8, lines 45-50].

***Response to Arguments***

Applicant's arguments filed 6/8/2005, have been fully considered but they are moot based on above new grounds of rejection which were necessitated by the most recent claim amendments.

### *Conclusion*

Applicant's submission of the requirements for the joint research agreement prior art exclusion under 35 U.S.C. 103(c) on 6/8/2005 prompted the new ground(s) of rejection under 37 CFR 1.109(b) presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.02(l)(3). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.



Art Unit: 2161

***Contact Information***

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Etienne LeRoux

7/8/2005

  
**MOHAMMAD ALI**  
**PRIMARY EXAMINER**